

Additionally, speaking of readers of the memorandum, it should be noted that the Bureau of the AFSC's part was a 670 Doane Avenue, Claremont, Calif., although this distribution was quite beyond anything I desired, the matter was never made a matter of public record, and therefore could not have embarrassed my party in the public eye. At least this was so up to the H.D. Huxley, Deputy Regional Director, U.S. Department of Labor, Bureau of Employment Security, 630 Sansome Street, San Francisco 11, Calif. readership. For my part, I would still prefer that the name and the content go no further. If it please wider distribution, Dear Mr. Huxley: on my initiative.

Our correspondence seems to have crossed in the mails. Yesterday, I sent Mr. Brockway a letter on matters of mutual interest to us at the moment. I trust that that letter has reached your desk by now. Today, your letter under date of July 24 reached me, and I hasten to reply.

I shall not repeat the things I said in my communication of yesterday. Although it might be understandable if I were to do so, neither shall I take refuge in the fact that my memorandum was prepared and distributed under circumstances which may be called, at the very least, extenuating. I should like, rather, to make one or two observations on what seem to me curious and unfortunate misunderstandings at work in the present situation.

In the first place, I find it difficult to shake the nagging question of whether or not the spokesmen for the Department of Labor and State Department of Employment have read the abovementioned memorandum quite as carefully as might be wished. I am not the most lucid writer in the world, but I prefer not to think the point of my argumentative piece was as obscure as the mail I have received might suggest. Far from "preferring charges" against the "culpability" of any individual or group, it was the burden of my remarks that the personnel associated with the Mexican National program have been put in the unenviable position of having to work with a program which is by its very nature unworkable. A population movement of nearly 500,000 people a year, involving the temporary transplantation of men from a pre-industrialized, pre-urbanized, Spanish-speaking culture, into a highly industrialized, urbanized, English-speaking culture, could not possibly be perfectly policed. Abuses are absolutely inevitable, by virtue of the very facts of the situation -- one of these facts being that the two countries in question are inhabited by human beings, not by angels. In my perhaps clumsy way, I tried to say that the wrongs of the bracero program should be laid, not to the mortal men involved, but to the system within which they are immersed. No one, aside from the official agencies themselves, has felt that the memorandum constituted a reflection on these agencies. To the ordinary reader I was apparently able to make my thought quite clear.



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Incidentally, speaking of readers of the memorandum, it should be noted that the breach on the AFSC's part was a limited one. The AFSC has informed me that copies were circulated only within its own family. Although this distribution was quite beyond anything I had expected or desired, the memo was never made a matter of public record, and therefore could not have embarrassed any party in the public eye. At least this was so up to the point the memo passed beyond the AFSC's hands. The use that is now being made of it is an unknown quantity to me, although I have been given more than ample reason to believe extensive use is being made of it. None of the persons who have taken it upon themselves to circulate it at third hand in this manner have had the courtesy to inform me or the AFSC of their identity, their purposes, or their readership. For my part, I would still prefer that the memo and its content go no farther. If it gains wider distribution, it will not be upon my initiative. (It was on May 1, rather than in June).

Now, the second point I should like to make here is really an extension of the first. As I have said, nothing that was in the memorandum was intended, or should be construed, as a "charge." My argument was an ethical, not a legalistic one. The specific points I made were illustrative. There is a good deal of difference between an illustration and a charge. Among other differences is the level of evidence appropriate to each. I am quite aware that in legal or quasi-legal proceedings, one must be able to cite names, places, dates, and particulars, be able to produce witnesses, and so forth. I have never gathered this sort of information, because I was not interested in it. I never imagined that I would have any use for it. I never imagined that I would assume the role of plaintiff, or be asked to do so. Such evidence, such illustrative material, as has come my way has been for the most part fragmentary and at second hand. At the conclusion of an interview, every trained interviewer asks, almost automatically, "Do you have any other comments?" or words to that effect. When, under these circumstances, informants have chosen to volunteer information about abuses under the program, I have heard them out in precisely the same way I hear them out when they choose to volunteer favorable information about the program. I do not press them beyond what they wish to volunteer. I do not press them for names and dates and places and the sorts of information which one would seek if one expected to go before a court of law or an investigating body.

I have never seen my role as being that of a compliance officer without portfolio. I have never seen my role as being that of an informer. There are, I believe, sixteen compliance officers in the field in California. It is my impression that these men have more than enough to do already, without my burdening them with every piece of hearsay which comes my way. It may be said that in taking this position I am failing to discharge properly my responsibilities as a citizen. I like to think this is not the case. I like to think one of the distinguishing characteristics of our political society is that the individual citizen is permitted considerable latitude and personal discretion as to the way in which he will carry out his duties to the larger community. I believe there are more valuable uses to which I can put my off-duty hours than serving as a watchdog over the minutiae of the bracero program.



I should like to express my regret, in view of developments, for having employed a certain literary device in the memorandum -- a device which has apparently mislead several people. Having begun my list of illustrative materials with "I have observed..." or "I have talked with..." I retained this phraseology throughout, for the cumulative effect which it might have. The entire effort, it will be recalled, was purposefully hortatory. At several points, what I should have said, in order to be completely accurate, was "I have talked with people who have observed..." or "I have talked with persons who have talked with other persons..." This would have been the appropriate phrasing in the two instances you cite in your letter -- phrasing I would certainly have employed if I had had any idea the memorandum would one day be assessed for anything more than its hortatory value.

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Since I remember well the generosity you and Mr. Norton showed me when I talked with you in San Francisco (it was on May 1, rather than in June), and since I have a genuine sympathy for the desire of the B.E.S. to administer the bracero program in the best possible manner, may I take the liberty of closing with a suggestion? If I, a rank neophyte who has no particular aptitude in or appetite for investigation, have, without trying, heard of a large number of abuses in a small span of time, it would seem that persons on your staff, who are trained and paid for this type of work, should be able to unearth without too much difficulty other examples of all the sorts of illustrative cases I mentioned, and perhaps even a few more besides. What is more, these professional people, having the time and the authority and the motivations which I do not have, should be able to track hearsay through the labyrinths to its origins, and should be able to acquire the sorts of legal evidence you have asked of me. It occurs to me that perhaps your investigators might find it helpful to talk with braceros after they have cleared the country; to be able to guarantee them anonymity, or at least immunity from reprisals; and not to identify themselves, at the outset at least, as Employers Service Representatives.

If there are other ways in which I can help you, do not hesitate to let me know. But I would ask you to bear in mind that my field is public health and medical care administration, that most of my waking hours are taken up with the technical problems of designing a research project that has nothing at all to do with compliance, and that my competence and availability are therefore limited.

Sincerely yours,

Henry P. Anderson

CC: Robert Goodwin  
W.O. Crittenden